

9-401A. Waiver of counsel.

*[For use with Magistrate Court Rule 6-501,
Metropolitan Court Rule 7-501 and
Municipal Court Rule 8-501]*

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
_____ COURT

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

No. _____

_____, Defendant

WAIVER OF COUNSEL

(To be used only if, upon conviction, the defendant may be deprived of liberty)

I understand that I am charged with the following offense(s): _____
_____ which (*strike
inapplicable words or parts*) [is a misdemeanor] [are misdemeanors] under the law and that
if I am found guilty I can be given a severe punishment, including imprisonment in the [New
Mexico state penitentiary] [_____ [city] [county] jail] and a fine.

I understand that under the constitutions of the United States and the State of New
Mexico, I have the right to be represented by a lawyer at all stages of the criminal case --
before trial, at the trial itself, during proceedings to determine what sentence should be
imposed if I am found guilty, and any appeal.

I understand that if I am unable, without undue hardship, to pay for all or a part of
the expense of legal representation from available present income and assets, a lawyer will

be furnished for me free of charge.

After reading and understanding all of the above, I hereby give up my rights to a lawyer in this case.

**DO NOT SIGN THIS FORM IF YOU
WANT AN ATTORNEY. DO NOT SIGN
THIS FORM UNLESS YOU HAVE READ
IT AND UNDERSTAND IT.**

Defendant

I find that the defendant, knowingly, voluntarily and intelligently with full awareness of the right to counsel has waived this right.

Judge

Date: _____

[Adopted effective September 15, 1997.]